

REMARKS

Rejection under 35 USC §112, second paragraph

In response to the Examiner's rejections under 35 USC §112, second paragraph, claim 21 has been cancelled, and claim 26 has been amended to depend from claim 22.

Rejection under 35 USC §112, first paragraph


In response to the Examiner's rejections under 35 USC §112, second paragraph, claims 22-26 have been amended to limit their scope to particular compounds and treatment for particular indications for which experimental data have been provided in the specification.

Rejection under 35 USC §103

Amended claims 22-26 are submitted to be patentable over Webster et al. (99/12543) and Godfrey (2,173,499). The cited art discloses a broad range of compounds against a broad range of indications. The amended claims are directed to a limited number of specific compounds and their use against specific indications. Considering the unpredictability in the pharmaceutical arts, as acknowledged by the Examiner herself at page 5-7 of the outstanding Office Action, it is submitted that a person skilled in the art would not consider the claimed subject matter obvious in view of Webster and Godfrey.

Respectfully submitted,

By:


Gerald O.S. Oyen
Registration No. 27,280
tel: 604.669.3432 ext. 8935
fax: 604.681.4081
e-mail: goyen@patentable.com

Vancouver, B.C.
CANADA

Encl.